

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-3 are pending in this application. Claims 1 and 3 are independent, and hereby amended. Support for this amendment is provided throughout the Specification as originally filed and specifically at pages 27 and Figure 4-6. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. §103**

Claims 1 and 3 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over US Patent Number 6,339,676 B1 to Amada et al. (hereinafter, merely “Amada”).

Claims 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Amada in view of US Patent Number 6,788,881 B1 to Kuroiwa et al. (hereinafter, merely “Kuroiwa”).

### III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...recording means for mixedly recording said first video data, said first audio data, said low-rate data, and time-sequential meta data and non-time-sequential meta data corresponding to the first video data and first audio data onto the disc-shaped recording medium...” (Emphasis added)

As understood by Applicant, Amada relates to an apparatus for recording and reproducing a digital video signal on and from a common recording medium by using the head configuration common to the conventional one while maintaining exchangeability with the current analog VTR.

As understood by Applicant, Kuroiwa relates to a writable storage medium has a first storage area divided into a plurality of sectors having the same data capacity and a second storage area.

Applicant submits that neither Amada nor Kuroiwa taken alone or in combination, teach or suggest the above identified features of claim 1. Specifically, neither of the references used as a basis for rejection describe mixedly recording said first video data, said first audio data, said low-rate data, and time-sequential meta data and non-time-sequential meta data corresponding to the first video data and first audio data, as recited in claim 1.

Specifically, the Office Action relies on Amada to provide a description of data recording means. However, Applicant submits that in the Amada system, the digital recording mode selecting circuit 52 selects one mode out of a plurality of modes in accordance with a transmission bit rate of an inputted digital video and audio signal and delivers an output control signal CR2. In the case of the long play mode, the recording servo circuit 41 receives the output control signal CR2 to control the rotation speed R of rotary drum 5 to the second rotation speed

R2 which is the same as that in the standard play mode and the transportation speed  $V$  of magnetic tape 6 to a transportation speed ( $V/2/N$ ) which is  $1/N$  of the second transportation speed  $V/2$  in the standard play mode. (See Amada Col. 13 line 33-55) Thus, in Amada system, the digital video signal of standard play mode and long play mode are not mixedly recorded, so they can not be continuously reproduced, as described in present invention.

Furthermore, in the Amada system there is no time-sequential meta data and non-time-sequential meta data corresponding to the first video data and first audio data recorded onto the disc-shaped recording medium, as described in present invention.

Therefore, Applicant respectfully submits that Amada fails to teach or suggest mixedly recording said first video data, said first audio data, said low-rate data, and time-sequential meta data and non-time-sequential meta data corresponding to the first video data and first audio data, as recited in claim 1.

Therefore, Applicant submits that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claim 3 is also patentable.

#### IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

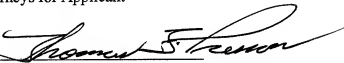
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800